IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 28TH MAY 2007 / 7TH JYAISHTA 1929

**Bail Appl..No. 2340 of 2007()**

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: PETITIONER/ACCUSED

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UNNIKRISHNAN, S/O.ACHUTHAN,
OZHUVARA PARAMBIL, PERUMUDIYOOR P.O.,
PATTAMBI, OTTAPALAM TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.SANTHEEP ANKARATH

RESPONDENTS: COMPLAINANT

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STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING THE SI OF POLICE,
PATTAMBI POLICE STATION.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

**B.A. No. 2340 OF 2007 B**

**Dated this the 28th day of May, 2007**

**O R D E R**

Petitioner, who is the 1st accused in a crime registered before the Pattambi Police Station for an offence punishable under Sec.376 I.P.C., seeks anticipatory bail. The occurrence took place on 1.3.2007.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and potency test then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on any day between 04-06-2007 and 06-06-2007 for the purpose of interrogation and potency test. The petitioner shall, thereafter, be produced on the same day before the Magistrate, who shall consider his application for regular bail, preferably on the same date on which such application is filed.

This petition is disposed of as above.

**(V. RAMKUMAR, JUDGE)**

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